

SEP 27 2007

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

JESUS TOVAR CORTEZ,

Petitioner,

v.

PETER D. KEISLER, * Acting Attorney
General,

Respondent.

No. 04-72290

Agency No. A21-303-478

MEMORANDUM **

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted September 24, 2007***

Before: CANBY, TASHIMA, and RAWLINSON, Circuit Judges.

Jesus Tovar Cortez, a native and citizen of Mexico, petitions for review of

* Peter D. Keisler is substituted for his predecessor, Alberto R. Gonzales, as Acting Attorney General of the United States, pursuant to Fed. R. App. P. 43(c)(2).

** This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

*** The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

the Board of Immigration Appeals' order summarily affirming an immigration judge's order denying his applications for cancellation of removal, adjustment of status, registry, and voluntary departure. We deny the petition for review.

Cortez waived any challenge to the agency's dispositive findings that he is ineligible for cancellation of removal due to his crime of moral turpitude and ineligible for adjustment of status due to his unlawful status. *See Martinez-Serrano v. INS*, 94 F.3d 1256, 1259-60 (9th Cir. 1996) (court of appeals will not ordinarily consider matters not argued in opening brief). Consequently, we do not reach his remaining contentions.

PETITION FOR REVIEW DENIED.